



**Date:** September 25, 2017

**Re:** Central 70 Existing Housing Mitigations Response to Questions at Council on September 13, 2107

**1. Can we protect the tenants of properties that are benefiting from the housing mitigations and home improvements?**

State law prohibits municipalities from controlling rent through legislation except in limited situations not applicable to this housing mitigation and improvement project. See C.R.S. § 38-12-301(1). Thus, in response to Councilman Brooks' question, there is likely no legislative solution that would work here.

Nonetheless, we can work with individual property owners and tenants to protect the tenants from potential rent increases and evictions related to the City-funded home improvements. Specifically, as Energy Outreach Colorado does in certain other programs it manages, we can require owners to agree not to raise rent or evict tenants as a result of the benefits their properties receive from the City. This type of requirement should help deter property owners from taking advantage of the benefits to the detriment of tenants. Enforcement of this requirement would be handled on an as-needed, case-by-case with the primary goal of keeping tenants in the homes at a stable rent, if that is what the tenants desire.

In addition, while the CDOT mitigation package must be offered to all identified properties, the City has flexibility with our funding and can opt not to offer the City home improvements package if there is reason to believe that the improvements would cause harm to tenants through eviction or rent increases.

**2. Will Council receive quarterly reports indicating progress of the project?**

NDCC will create electronic reports quarterly for Council indicating progress of the assessments and construction of the homes within the mitigation boundary. NDCC will brief Council in person on a quarterly basis. If significant issues present themselves during the project, NDCC will raise that to Council immediately.

**3. How will the team ensure that residents do not receive duplicative offerings (for example, if the resident is recommended to receive central air conditioning, how will we ensure that they don't also receive portable air conditioners)?**

When EOC assesses a residence, they will utilize a checklist to review if the home may be eligible or be physically capable of accepting both CDOT's and Denver's at the same time. CDOT's mitigations will be offered to all residents within the mitigation boundary and EOC will determine what Denver offerings can be utilized in the home on a case by case basis. If EOC identifies that the resident can accept central air conditioning, and the homeowner accepts the central air conditioner offering, then EOC will recommend that the homeowner accept central air and decline the two portable air conditioners.

**4. What if unpermitted additions or other unpermitted home improvements are discovered during the home assessment?**

EOC is only in the home to assess the home for energy efficiency and mitigation for dust and noise during construction. They will not look for other issues within the home and will not report permitting issues to Denver.

**5. What if EOC discovers additional problems in the home that are not related to energy efficiency (mold issues, etc.)? What are the next steps?**

The remedy for other issues will depend on the scale of the issue. For most issues, EOC will find a way to utilize available public funds and refer residents to funds through existing programs. However, if the issue is larger in scale and costly, we will refer them to DURA for consideration of their loan program to address the issue. We will not leave a resident in a dangerous situation, we will assist these residents to leave them in better condition than when we found them. If there is a life-safety issue identified, the team will address the issue immediately to protect the resident.

**6. Will the assessments address gaps in doors and replacing doors if the doors indicate spaces or cracks?**

Yes. The assessment will include assessing doors for appropriate weatherization. Part of Denver's offerings do include replacement of doors if the assessment discovers this as a necessity in the residence.